

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

JULIEANNE MINGE,

Defendant-Appellant.

UNPUBLISHED

May 18, 2001

No. 219595

Wayne Circuit Court

Criminal Division

LC No. 98-010268

Before: White, P.J., and Cavanagh and Talbot, JJ.

PER CURIAM.

Defendant was charged with possession of 50 grams or more but less than 225 grams of cocaine, MCL 333.7403(2)(a)(iii); MSA 14.15(7403)(2)(a)(iii). She appeals by leave granted the trial court order denying her motion to suppress the evidence. We affirm.

This Court reviews de novo the trial court's decision regarding a motion to suppress evidence, and reviews for clear error the trial court's findings of fact. *People v Stevens*, 460 Mich 626, 631; 597 NW2d 53 (1999); *People v Parker*, 230 Mich App 337, 339; 584 NW2d 336 (1998).

Defendant argues that the police stop of her vehicle was unjustified in this case. We disagree. In order for police officers to make a constitutionally proper investigatory stop, they must have a particularized suspicion that "the individual being investigated has been, is, or is about to be engaged in criminal activity. *People v Nelson*, 443 Mich 626, 632; 505 NW2d 266 (1993). That suspicion must arise as a result of "[t]he totality of the circumstances as understood and interpreted by law enforcement officers, not legal scholars," and must be reasonable and articulable. *Id.*, quoting *United States v Cortez*, 449 US 411, 418; 101 S Ct 690; 66 L Ed 2d 621 (1981). Police officers are permitted to consider the modes and patterns of certain kinds of criminals, and "common sense and everyday life experiences predominate over uncompromising standards." *Nelson, supra* at 633. Although an officer is not permitted to rely on a mere hunch, the officer is entitled to draw inferences from the facts in light of his experience. *People v LoCicero (After Remand)*, 453 Mich 496, 502; 556 NW2d 498 (1996).

In this case, defendant was observed going into the side door of a house where police believed cocaine was being sold. While she was inside, a police officer saw another person approach the same side door and exchange money for suspected cocaine with a man inside the

house. A few minutes later, defendant came out the side door with a visible bulge under her shirt. The bulge was “baseball size, maybe 4 or 5, 6 inches long and a couple inches wide.” On the basis of his experience in narcotics enforcement, the police officer believed that defendant was taking drugs from the suspected drug house where he had just observed a suspected drug transaction. He notified other members of the arrest and surveillance team and, when defendant drove away, her car was stopped by the police. The arresting officer also observed the bulge under defendant’s shirt and asked defendant if she was armed with a weapon. She replied that she was not but that she had cocaine.

These facts, viewed in the light of common sense, give rise to more than a hunch that defendant was involved in criminal activity. *LoCicero (After Remand)*, *supra* at 502; *Nelson*, *supra* at 632-633. The trial court did not err in denying defendant’s motion to suppress.

Affirmed.

/s/ Helene N. White
/s/ Mark J. Cavanagh
/s/ Michael J. Talbot